

Application No.: 10/698,135

Docket No.: 209593-81548

REMARKS/ARGUMENTS

Applicant has reviewed the detailed Office Action mailed March 24, 2005 and thanks Examiner Devore for his review of the pending claims. Claims 1-42 were rejected. In this amendment, claims 1, 10, and 35 have been amended and claim 33 has been cancelled without prejudice or disclaimer. Applicant requests reconsideration of the pending claims in view of the above amendments and the following remarks.

I. Claim Rejections – 35 U.S.C. §102

A. Claims 1-4, 8-20, 22-29, 31-33, and 34-42 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,594,641 to Griffith. For at least the following reasons, Applicant respectfully traverses the rejection.

Regarding claims 1, 34 and 35, nowhere does Griffith disclose a valve assembly that includes a shaped valve head and a shaped cavity, wherein portions of the shaped valve head and portions of the shaped cavity have a form characterized as a modified ellipsoid. Rather, Griffith discloses a check valve 10 that includes a valve element 17 and a valve seat 13 having a form characterized as a trapezoid (see, e.g., FIG. 1).

The claims that depend from amended claims 1 and 35 include additional patentably distinct limitations and, therefore, are patentably distinct as well. For example, nowhere does Griffith disclose radially disposed formations that include a front centering formation and a rear centering formation, as recited in claims 5-7.

B. Claims 1-3, 5-11, 13-17, 26, 31, 34-38, and 42 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,973,008 to Klose. For at least the following reasons, Applicant respectfully traverses the rejection.

Regarding claims 1, 34 and 35, nowhere does Klose disclose a valve assembly that includes a shaped valve head and a shaped cavity, wherein portions of the shaped valve head and portions of the shaped cavity have a form characterized as a modified ellipsoid. Instead, Klose discloses a poppet 13 having a form that is generally rectangular.

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The claims that depend from amended claims 1 and 35 include additional patentably distinct limitations and, therefore, are patentably distinct as well. For example, nowhere does Klose disclose radially disposed formations that include a front centering formation and a rear centering formation, as recited in claims 5-7.

Accordingly, it is respectfully submitted that the cited art fails to anticipate the claimed invention and the §102(b) rejections should be withdrawn.

II. Claim Rejections – 35 U.S.C. §103

A. Claim 30 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,594,641 to Griffith. For at least the reasons noted above with respect to claim 1, the Office Action fails to set forth a *prima facie* case of obviousness since Griffith fails to teach, suggest or disclose that portions of the shaped valve head and portions of the shaped cavity have a form characterized as a modified ellipsoid.

B. Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,594,641 to Griffith in view of U.S. Patent No. 3,800,824 to Medina. For at least the reasons noted above with respect to claim 1, the Office Action fails to set forth a *prima facie* case of obviousness since Griffith fails to teach, suggest or disclose that portions of the shaped valve head and portions of the shaped cavity have a form characterized as a modified ellipsoid.

Since the Office Action fails to set forth a *prima facie* case of obviousness, the §103(a) rejection should be withdrawn.

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CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-3145, under Order No. 209593-81548 from which the undersigned is authorized to draw.

Dated: 6/24/05

Respectfully submitted,

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